

**AMENDED**  
**APPLICATION FOR PERMIT**  
**TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office DEC-13-1989 NEW PRIORITY DATE: JUN-17-2002-  
JAN 4 1990 JAN 27 2006  
 Returned to applicant for correction.....  
 Corrected application filed..... JAN 10 1990  
 Map filed..... JAN 10 1990 under 54230

The applicant Bamco Exploration, Inc.  
P.O. Box 13011, of Battle Mountain,  
Street and No. or P.O. Box No. City or Town  
Nevada 89820, hereby make Application for permission to appropriate the public  
State and Zip Code No.  
 waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a  
 copartnership or association, give names of members.) a Nevada corporation incorporated 6/12/69

1. The source of the proposed appropriation is underground  
Name of stream, lake, spring, underground or other source
2. The amount of water applied for is 1.0 c.f.s. second-feet  
One second-foot equals 448.83 gals. per min.  
 (a) If stored in reservoir give number of acre-feet.....
3. The water to be used for mining, milling & domestic  
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.
4. If use is for:
  - (a) Irrigation, state number of acres to be irrigated.....
  - (b) Stockwater, state number and kinds of animals to be watered.....
  - (c) Other use (describe fully under "No. 12. Remarks") mining, milling & domestic
  - (d) Power:
    - (1) Horsepower developed.....
    - (2) Point of return of water to stream.....

5. The water is to be diverted from its source at the following point within the NE¼ NW¼ of Sec. 20, T.32N.,  
Describe as being within a 40-acre subdivision of public  
R.44E., M.D.B. & M. or at a point from which the N¼ corner of said Section 20, T.32N.,  
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.  
R.44E. bears N 19°19'44" E 1050.54'.

6. Place of use NW¼ SE¼, SE¼ SE¼ & SW¼ SE¼ of Section 17, T.32N., R.44E., M.D.B. & M.;  
Describe by legal subdivision. If on unsurveyed land, it should be so stated.  
NW¼ NE¼, E¼ NE¼ NW¼ of Section 20, T.32N., R.44E., M.D.B. & M.

7. Use will begin about January 1st and end about December 31st, of each year.  
Month and Day Month and Day
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and  
 specifications of your diversion or storage works.) drilled well, pump and pipelines  
State manner in which water is to be diverted, i.e. diversion structure, ditches and  
 flumes, drilled well with pump and motor, etc.
9. Estimated cost of works in excess of \$1,000.00

10. Estimated time required to construct works..... 3 years  
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use..... 5 years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Applicant wishes to appropriate water to operate a gravel washing plant  
associated with its placer mine.

Desert-Mountain, Inc. as agent  
By s/John H. Milton III  
146 West Second Street  
Winnemucca, Nevada 89445

Compared pm/jm..... am/se

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions: This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 54230 and 54231 shall not exceed 32.25 million gallons annually.

(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 1.0 .....cubic feet per second, but not to exceed 32.25 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before..... March 11, 1992

Proof of completion of work shall be filed on or before..... April 11, 1992

Application of water to beneficial use shall be made on or before..... March 11, 1995

Proof of the application of water to beneficial use shall be filed on or before..... April 11, 1995

Map in support of proof of beneficial use shall be filed on or before..... N/A

Completion of work filed..... MAY 13 1992

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No..... Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.  
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 11th day of March

A.D. 19 91

*[Signature]*  
State Engineer

(O)-5314 (Rev.)  
~~CANCELLED JUN 12 2002 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT~~  
*[Signature]*, P.E.  
STATE ENGINEER  
Can. Rescinded 8/26/02

~~CANCELLED JAN 17 2006 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT~~  
*[Signature]*, P.E.  
STATE ENGINEER  
Can. Rescinded 2/21/06

## (PERMIT TERMS CONTINUED)

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.